

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** By **CHAIRMAN JIM ELLIOTT**, on March 27, 2007 at 8:00 A.M., in Room 405 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Sen. Jim Elliott, Chairman (D)  
Sen. Jerry W. Black (R)  
Sen. Jeff Essmann (R)  
Sen. Kelly Gebhardt (R)  
Sen. Dan Harrington (D)  
Sen. Christine Kaufmann (D)  
Sen. Sam Kitzenberg (D)  
Sen. Jim Peterson (R)  
Sen. Bob Story Jr. (R)

##### **Members Excused:**

Sen. Kim Gillan (D)  
Sen. Trudi Schmidt (D)

**Members Absent:** None.

**Staff Present:** Lee Heiman, Legislative Branch  
Lois O'Connor, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: None.  
Executive Action: SB 436, SB 551, SB 554, SB 105

00:01:58

**EXECUTIVE ACTION ON SB 436**

00:06:06 **Motion:** SEN. GEBHARDT moved that SB 436 DO PASS.

00:06:49 **Motion:** SEN. GEBHARDT moved to amend SB 436 with amendment #SB043601.ALH.

**EXHIBIT**(tas65a01)

**Discussion:**

00:07:10 Sen. Robert Story

00:08:01 Sen. Jerry Black

00:08:23 Sen. Christine Kaufmann

00:09:30 Sen. Elliott to Sen. Kelly Gebhardt

00:12:10 Sen. Jeff Essmann

00:13:07 Sen. Story

00:14:45 Sen. Jim Peterson

00:16:07 Sen. Gebhardt

00:18:52 **Vote:** Motion that #SB043601.ALH be approved carried 6-2 by voice vote with SEN. PETERSON and SEN. STORY voting no. SEN. GILLAN, SEN. HARRINGTON, and SEN. SCHMIDT were excused.

00:19:17 **Motion:** SEN. GEBHARDT moved that SB 436 DO PASS AS AMENDED.

**Discussion:**

00:19:45 Sen. Gebhardt to Sen. Story

00:20:34 Sen. Story to Lee Heiman, Staff Attorney, Legislative Services Division (LSD)

00:21:35 Sen. Gebhardt

00:21:50 **Vote:** Motion that SB 436 DO PASS AS AMENDED carried 6-2 by voice vote with SEN. PETERSON and SEN. STORY voting no. SEN. GILLAN, SEN. HARRINGTON, and SEN. SCHMIDT were excused.

**EXECUTIVE ACTION ON SB 551**

00:23:50 **Motion:** SEN. PETERSON moved that SB 551 DO PASS.

00:24:06 **Motion:** SEN. GEBHARDT moved to amend SB 551 with amendment #SB055101.ALH.

**EXHIBIT**(tas65a02)

**Discussion:**

00:24:30 Mr. Heiman, LSD

00:26:29 Sen. Gebhardt to Mr. Heiman, LSD

00:28:31 **Vote:** Motion that #SB055101.ALH be approved carried 7-1 by voice vote with SEN. KAUFMANN voting no. SEN. GILLAN, SEN. HARRINGTON, and SEN. SCHMIDT were excused.

00:28:48 **Motion:** SEN. PETERSON moved that SB 551 DO PASS AS AMENDED.

**Discussion:**

00:29:02 Sen. Story to Mr. Heiman, LSD

00:31:14 Sen. Elliott to Mr. Heiman, LSD

00:32:08 Sen. Peterson

00:33:18 Sen. Essmann

00:35:13 **Motion:** SEN. ESSMANN moved to further amend SB 551 with a CONCEPTUAL AMENDMENT.

**Discussion:**

00:36:10 Sen. Elliott

00:37:10 **Vote:** Motion that the CONCEPTUAL AMENDMENT be approved carried unanimously by voice vote. SEN. GILLAN, SEN. HARRINGTON, and SEN. SCHMIDT were excused.

00:37:24 **Motion:** SEN. GEBHARDT moved that SB 551 DO PASS AS AMENDED.

**Discussion:**

00:37:39 Sen. Story to Mr. Heiman, LSD

00:38:57 Sen. Story

00:39:37 Sen. Kaufmann

00:40:57 Sen. Peterson

00:41:52 Sen. Gebhardt

00:43:18 **Vote:** Motion that SB 551 DO PASS AS AMENDED carried 6-5 by roll call vote with SEN. ELLIOTT, SEN. HARRINGTON, and SEN. KAUFMANN voting no. SEN. GILLAN and SEN. SCHMIDT voted no by proxy.

**EXECUTIVE ACTION ON SB 554**

**Discussion:**

00:45:21 Sen. Elliott

00:45:54 Sen. Essmann

00:48:16 Sen. Peterson to Sen. Essmann

00:50:00 Sen. Elliott

00:50:39 Sen. Black

00:50:57 Sen. Peterson

00:51:55 Sen. Story

00:53:58 Sen. Elliott

00:54:37 Sen. Peterson

00:55:12 Sen. Essmann

00:55:37 Mr. Heiman, LSD

00:55:56 Sen. Kaufmann

00:56:39 Sen. Elliott

00:57:43 Sen. Dan Harrington

01:00:49 Sen. Gebhardt

01:01:28 Sen. Essmann

01:02:08 Sen. Gebhardt

01:03:11 Sen. Elliott to Mr. Heiman, LSD

01:04:04 Sen. Peterson

01:04:41 Sen. Elliott

01:05:19 **Motion/Vote:** SEN. PETERSON moved that Committee Staff draft an interim study resolution regarding a sales tax and equitable school funding. Motion carried unanimously by voice vote. SEN. GILLAN and SEN. SCHMIDT were excused.

01:08:08 recess

02:04:10 reconvene

**EXECUTIVE ACTION ON SB 105**

02:04:26 Sen. Greg Lind, SD 50

**EXHIBIT**(tas65a03)

02:06:20 **Motion/Vote:** SEN. KAUFMANN moved to RECONSIDER THE MOTION on SB 105. Motion carried unanimously by voice vote. SEN. GILLAN, SEN. HARRINGTON and SEN. SCHMIDT were excused.

02:06:36 **Motion:** SEN. KAUFMANN moved that SB 105 DO PASS for the purposes of amendment.

02:07:02 **Motion:** SEN. KAUFMANN moved to amend SB 105 with amendment #SB010501.ALH.

**EXHIBIT**(tas65a04)

**Discussion:**

02:07:11 Sen. Lind

02:10:00 Sen. Kaufmann to Sen. Lind, rereferred to Mr. Heiman,  
LSD

02:11:25 Sen. Peterson to Sen. Lind

02:16:31 Sen. Story to Sen. Lind

02:21:00 Sen. Essmann to Sen. Lind

02:26:39 Sen. Kaufmann to Sen. Story

02:28:54 Sen. Peterson to Sen. Lind

02:31:53 Sen. Peterson to Mark Lambrecht, Property Tax Manager,  
PPL Montana

02:38:42 Sen. Kaufmann to Sen. Story

02:43:35 Sen. Elliott

02:43:43 Sen. Essmann

02:45:27 Sen. Elliott to Sen. Lind

02:46:40 Sen. Gebhardt

02:48:10 Sen. Kaufmann to Sen. Lind

02:49:39 Sen. Story

02:50:10 Sen. Essmann

02:50:56 Sen. Story to Sen. Lind

02:52:44 **SEN. KAUFMANN withdrew the motion to approve amendment  
#SB010501.ALH**

02:53:06 **SEN. KAUFMANN withdrew the DO PASS motion on SB 105. No  
further action was taken.**

**ADJOURNMENT**

Adjournment: 11:00 P.M.

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SEN. JIM ELLIOTT, Chairman

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LOIS O'CONNOR, Secretary

JE/lo

Additional Exhibits:

**EXHIBIT ([tas65aad.pdf](#))**